

CHAPTER NO. 858

SENATE BILL NO. 1810

By Cohen, Crutchfield, Person

Substituted for: House Bill No. 1716

By McMillan

AN ACT To amend Tennessee Code Annotated, Title 39, Chapter 14, Part 2, relative to animals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 14, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 39-14-212. (a) A person commits aggravated cruelty to animals when, with aggravated cruelty and with no justifiable purpose, such person intentionally kills or intentionally causes serious physical injury to a companion animal.

(b) For purposes of this section:

(1) "Aggravated cruelty" means conduct which is done or carried out in a depraved and sadistic manner and which tortures or maims an animal;

(2) "Companion animal" means any non-livestock animal as defined in § 39-14-201(3);

(3) "Minor" means any person under eighteen (18) years of age; and

(4) "Elderly" means any person sixty-five (65) years of age or older.

(c) The provisions of subsection (a) shall not be construed to prohibit or interfere with the following endeavors:

(1) Dispatching an animal in any manner absent of aggravated cruelty;

(2) Engaging in lawful hunting, trapping, or fishing activities, including activities commonly associated with the hunting of small game as defined in § 70-1-101(a)(34);

(3) Dispatching rabid or diseased animals;

(4) Dispatching animals posing a clear and immediate threat to human safety;

(5) Performing or conducting bona fide scientific tests, experiments or investigations within or for a bona fide research laboratory, facility or institution;

(6) Performing accepted veterinary medical practices or treatments;

(7) Dispatching animals in accordance with § 44-17-403(e);

(8) Engaging, with the consent of the owner of a farm animal, in usual and customary practices which are accepted by colleges of agriculture or veterinary medicine with respect to such animal;

(9) Dispatching wild or abandoned animals on a farm or residential real property; or

(10) Applying methods and equipment used to train animals.

(d) (1) A first-time conviction for aggravated cruelty to animals is a Class A misdemeanor.

(2) Any subsequent conviction for aggravated cruelty to animals is a Class E felony.

SECTION 2. (a) The provisions of this act shall not be construed to change, modify, or amend any provision of Title 70, involving fish and wildlife.

(b) The provisions of this act do not apply to activities or conduct that are prohibited by § 39-14-203.


(c) The provisions of this act do not apply to equine animals or to animals defined as livestock by the provisions of § 39-14-201.

SECTION 3. This act shall take effect July 15, 2002, the public welfare requiring

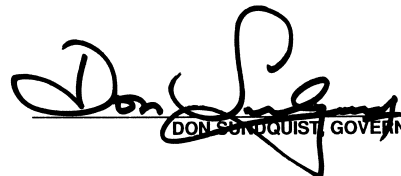
it.

PASSED: July 4, 2002


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 15th day of July 2002


DON SUNDQUIST, GOVERNOR